

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

The parties to this action, having settled the case by agreement, jointly move that the case be dismissed in its entirety, with prejudice, under Rule 41 of the Federal Rules of Civil Procedure, with each party to bear its own attorneys' fees and costs of suit.

It is hereby **ORDERED** that upon joint motion of the parties and for good cause shown, the case is dismissed with prejudice, each party to bear its own costs and fees. The Clerk of Court is instructed to close the case file.

**IT IS SO ORDERED.**

DATED: February 9, 2009

Hon. Jeffrey T. Miller  
United States District Judge